# Veterans Affairs Canada

## Annual Report on the Administration of the *Access to Information Act*

April 1, 2010 – March 31, 2011

The Honourable Steven Blaney, MP
Minister of Veterans Affairs

Veterans Affairs Canada | Anciens Combattants Canada

Canada

**TABLE OF CONTENTS**


1. INTRODUCTION ..... Page 2
   - Veterans Affairs Canada ..... Page 2
   - The Office of the Ombudsman ..... Page 3

2. ACCESS TO INFORMATION AND PRIVACY COORDINATOR'S OFFICE ..... Page 4
3. DESIGNATION ORDER ..... Page 5
4. *ACCESS TO INFORMATION ACT* DESIGNATION SCHEDULE ..... Page 6
5. STATISTICAL REPORT – INTERPRETATION AND EXPLANATION ..... Page 7
   - I Requests Under the *Access to Information Act* ..... Page 7
   - II Disposition of Requests Completed ..... Page 9
   - III Exemptions Invoked ..... Page 11
   - IV Exclusions Cited ..... Page 11
   - V Completion Time ..... Page 12
   - VI Extensions ..... Page 13
   - VII Translations ..... Page 14
   - VIII Method of Access ..... Page 14
   - IX Fees ..... Page 14
   - X Costs ..... Page 14

6. CONSULTATIONS ..... Page 15
7. ACCESS TO INFORMATION TRAINING AND AWARENESS ..... Page 15
   - Training ..... Page 15
   - Awareness ..... Page 16

8. POLICIES AND GUIDELINES ..... Page 17
9. DESCRIPTION OF MAJOR CHANGES IMPLEMENTED ..... Page 18
   - Department ..... Page 18
   - Information Management Services Directorate (IMSD) ..... Page 18

10. COMPLAINTS AND INVESTIGATIONS ..... Page 19
11. APPEALS TO THE COURTS ..... Page 20

Annex 1 – Statistical Report on the *Access to Information Act* ..... Page 22
Annex 2 – Four-Year Statistical Analysis ..... Page 23

## 1. INTRODUCTION

The *Access to Information Act* gives Canadian citizens and corporations the right to access federal government records, subject to certain specific exceptions. The Act complements but does not replace other procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request.

In accordance with section 72 of the *Access to Information Act*, the head of an institution is required to submit an annual report to Parliament on the institution's administration of the Act during the fiscal year. This document reports on the activities of the Department of Veterans Affairs, the Office of the Veterans Ombudsman, the Director of Soldier Settlement and the Director of the Veterans' Land Act, and describes how Veterans Affairs Canada (VAC) fulfilled its access to information responsibilities during the fiscal year commencing April 1, 2010, and ending March 31, 2011.

**Veterans Affairs Canada**

Canada's development as an independent country with a unique identity stems in no small measure from its achievements in times of war. A good part of our modern identity is also associated with pride in Canada's enviable peacekeeping record and our commitment to the war on terrorism. Canada's contribution to global peace and security, both as ally and peacekeeping partner, has come at a heavy price in terms of lives sacrificed, health forfeited and hopes unfulfilled. The Department exists to repay the nation's debt of gratitude toward those whose courageous efforts have given us this legacy, and have contributed to our growth as a nation.

Veterans Affairs Canada's mandate stems from laws, regulations and Orders in Council. Among the more significant is the *Department of Veterans Affairs Act*, which charges the Minister of Veterans Affairs with the following responsibilities:

> *"... the care, treatment, or re-establishment in civil life of any person who served in the Canadian Forces of merchant navy or in the naval, army or air forces or merchant navies of Her Majesty, of any person who has otherwise engaged in pursuits relating to war, and of any other person designated . . . and the care of the dependents or survivors of any person referred to . . ."*

Veterans Affairs Canada (VAC) provides services to a highly diverse clientele which reflects the remarkable breadth of Canada's contributions to world peace. Our clients include:

Veterans:

- Armed Forces and Merchant Navy Veterans who served during the World Wars or the Korean War;
- Former and, in certain cases, current members of the Canadian Forces, including those who served in Special Duty Areas and in peacekeeping; and
- Allied Veterans who lived in Canada prior to periods of war.

Other Clients:

- Certain civilians who are entitled to benefits because of their war time services;
- Former and, in certain cases, serving members of the Royal Canadian Mounted Police; and
- Survivors and dependants of the foregoing groups.

In addition to serving these clients, VAC receives many requests for information from members of the public. Employees assist those who approach the Department with requests for information on our programs, services and activities. VAC joins with all Canadians in recognizing the sacrifices and achievements of those who have served in the cause of peace and freedom around the world over the years.

VAC remains strongly committed to upholding the principles of the *Access to Information Act*, while providing a high level of service to our clients.

**The Office of the Veterans Ombudsman**

The mandate of the Ombudsman shall be

- (a) to review and address complaints by clients and their representatives arising from the application of the provisions of the *Veterans Bill of Rights*;
- (b) to identify and review emerging and systemic issues related to programs and services provided or administered by the Department or by third parties on the Department's behalf that impact negatively on clients;
- (c) to review and address complaints by clients and their representatives related to programs and services provided or administered by the Department or by third parties on the Department's behalf, including individual decisions related to the programs and services for which there is no right of appeal to the Board;
- (d) to review systemic issues related to the Board; and
- (e) to facilitate access by clients to programs and services by providing them with information and referrals.

## 2. ACCESS TO INFORMATION AND PRIVACY COORDINATOR'S OFFICE

The administration of the *Access to Information Act* and the *Privacy Act* is the responsibility of the Access to Information and Privacy (ATIP) Coordinator's Office which is part of the Information Technology and Information Management (ITIM) Division within the Corporate Services Branch. The Director Information Management is also the ATIP coordinator; the union of these two roles brings together specialists who manage and protect the Portfolio's information holdings. The ATIP Coordinator acts on behalf of the Minister of Veterans Affairs, the Deputy Minister of VAC and the Veterans Ombudsman to administer the *Access to Information Act* and the *Privacy Act*. The office has a dual function of serving both the public and the Department in matters relating to the *Access to Information Act* and the *Privacy Act*.

The mandate of the ATIP Coordinator's Office within VAC is to administer the *Access to Information Act* and the *Privacy Act*, and to facilitate institutional compliance with legislative and central agency requirements. The main duties of the ATIP Coordinator's Office are to:

- Process requests for information submitted under the *Access to Information Act* and the *Privacy Act* in accordance with legislation, regulations and Treasury Board of Canada Secretariat (TBS) policies and guidelines;
- Provide VAC managers and staff with advice and guidance regarding the interpretation and application of the *Access to Information Act*, the *Privacy Act* and other related TBS policies and guidelines;
- Develop policies, procedures and guidelines for the administration of the ATIP Acts and other related TBS policies and guidelines;
- Coordinate the completion of Privacy Impact Assessments (PIAs);
- Coordinate the resolution of any complaints against VAC made to the Information Commissioner under the *Access to Information Act* and to the Privacy Commissioner under the *Privacy Act*;
- Promote awareness of the ATIP acts to ensure departmental responsiveness to the obligations imposed on federal institutions;
- Coordinate the preparation of the VAC chapter of the *Info Source* publication; and
- Prepare annual reports to the TBS and Parliament on the *Access to Information Act* and the *Privacy Act*.

Formal request processing is centralized within the ATIP Coordinator's Office in Charlottetown, Prince Edward Island and the responsibility for disclosure rests primarily with this office. The Coordinator's Office consists of a Coordinator and a complement of 17.5 full-time equivalents (FTEs).

The ATIP Coordinator's Office supports and maintains a network of 27 ATIP Liaison Officers in each major division and region of the Portfolio. VAC has 19 liaison officers in the Charlottetown Head Office and 8 in the Regional Offices. The liaison officers, upon request, are responsible for information retrieval from the Office of Primary Interest (OPI) and for identifying sensitive information which may qualify for an exemption under the Act.

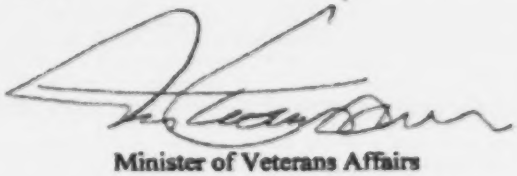
## 3. DESIGNATION ORDERS

The responsibilities associated with the administration of the *Access to Information Act*, such as notifying applicants of extensions and transferring requests to other institutions, are designated to the departmental ATIP Coordinator through a delegation instrument signed by the Minister of Veterans Affairs.

### *ACCESS TO INFORMATION ACT* DESIGNATION ORDER

**The Minister of Veterans Affairs, pursuant to section 73 of the *Access to Information Act*, hereby designates the persons holding the positions in the Department of Veterans Affairs set out in the schedule attached hereto, to exercise the powers and perform the duties and functions of the Minister as the head of a government institution under the sections of the Act set out in the schedule opposite the positions.**

**Dated at Ottawa, this day of 2009**



**Minister of Veterans Affairs**

## 4. *ACCESS TO INFORMATION ACT* DESIGNATION SCHEDULE

| | HEAD OF THE INSTITUTION | MINISTER OF VETERANS AFFAIRS | |
|---|---|---|---|
| Sections of the ATI Act | Powers, Duties or Functions | Institutions and Titles | |
| | | DVA | |
| 73 | All powers, duties or functions of the head of the institution | Deputy Minister | |
| 21 | Approve exemptions | ADM, Corporate Services | Veterans Ombudsman |
| 14; 15; 18 | Approve exemptions | ADMs | Veterans Ombudsman |
| 67.1 | Obstructing Right of Access | Department of Veterans Affairs Security Officer | |
| 7(*a*) | Give notices re: access to records within 30 days | ATIP Coord./Deputy Coord./Officer | OVO -Legal Advisor |
| 8(1) | Transfer requests and material to other institutions | ATIP Coord./Deputy Coord./Officer | OVO -Legal Advisor |
| 9(1)(*a*)(*b*) | Extension of time limits | ATIP Coord./Deputy Coord. | OVO -Legal Advisor |
| 9(2) | Give notice of time extensions to Information Commissioner | ATIP Coord./Deputy Coord. | OVO -Legal Advisor |
| 11(2)(3)(4)(5)(6) | Payment or waiver of fees | ATIP Coord./Deputy Coord./Officer | OVO -Legal Advisor |
| 12(2)(3) | Language of access and alternate format | ATIP Coord./Deputy Coord./Officer | OVO -Legal Advisor |
| 13; 16; 17; 19; 20; 22; 23; 24; 25; 26 | Approve exemptions | ATIP Coord./Deputy Coord. | OVO -Legal Advisor |
| 19; 23 | Approve exemptions | ATIP Officer | |
| 27(1)(4); 28(1)(2)(4); 29(1); 33; 35(2); 37(4); 43(1); 44(2); 52; 69; 71(2) | Apply third party procedures and give notes | ATIP Coord./Deputy Coord. | OVO -Legal Advisor |
| 72(1) | Prepare annual report to Parliament | ATIP Coord./Deputy Coord. | |

LEGEND:
DVA: Department of Veterans Affairs
OVO: Office of the Veterans Ombudsman

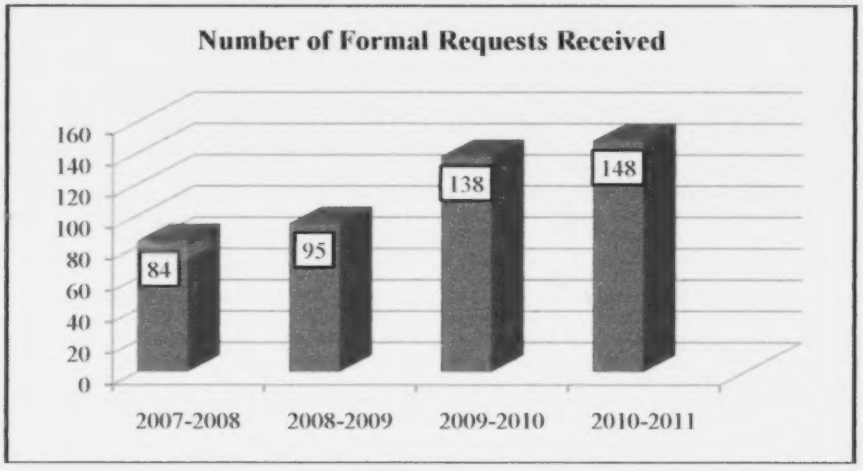
## 5. STATISTICAL REPORT – INTERPRETATION AND EXPLANATION

The Statistical Report, included in Annex 1, provides a summary of formal *Access to Information Act* applications processed by VAC between April 1, 2010, and March 31, 2011. The following narrative provides explanations and interpretations of the statistical data.

### I REQUESTS UNDER THE *ACCESS TO INFORMATION ACT*

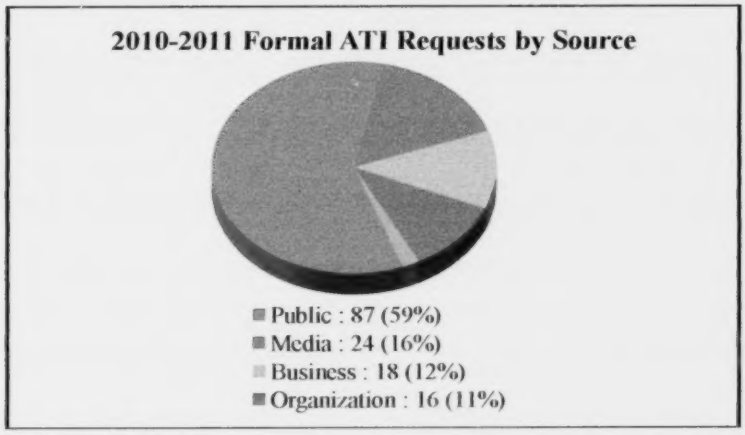
**Formal Requests**

Between April 1, 2010 and March 31, 2011, VAC received 148 formal requests for information under the *Access to Information Act*. This represents an increase of 10 requests (or 7 per cent) from the 2009-2010 fiscal year; a 56 per cent increase as compared to the 2008-2009 fiscal year; and a 76 per cent increase as compared to the 2007-2008 fiscal year. These 148 requests, combined with 35 outstanding requests from the 2009-2010 period totalled 183 requests requiring action in the 2010-2011 reporting period.




Sixty-nine (69) outstanding requests have been carried forward into the 2011-2012 fiscal year.

The breakdown of the 148 requests received during the 2010-2011 fiscal year is as follows:

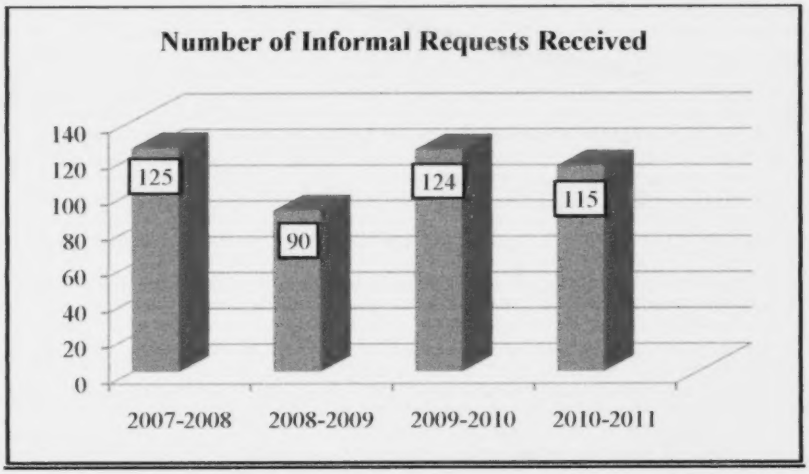



It is important to note that the requests have shifted in nature from specific information about existing programs and services, access and eligibility to direct questions about the details of proposed programs, policy development, and changes being contemplated by the Department and government.

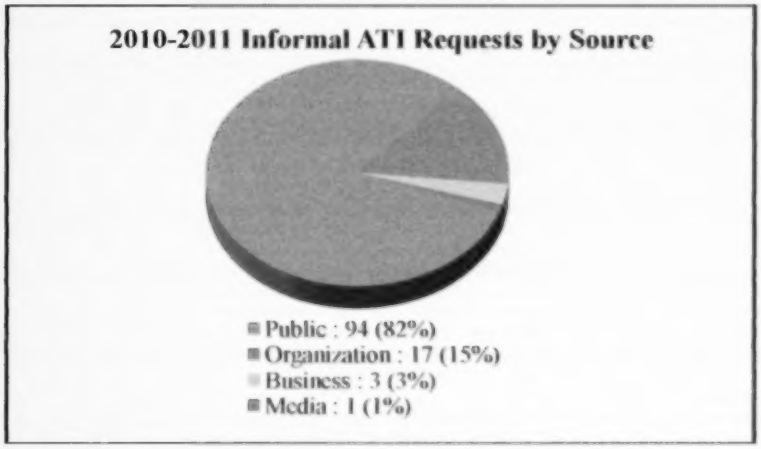
**Informal Requests**

In keeping with its commitment to quality client service and transparency, the ATIP Coordinator's Office continued to informally process Access to Information requests in 2010-2011. 115 requests, combined with 22 outstanding requests from the 2009-2010 period totalled 137 requests requiring processing this fiscal year, representing a 10 per cent increase over the previous fiscal year.

14 outstanding requests have been carried forward into the 2011-2012 fiscal year.



The breakdown of the 115 informal requests received during the 2010-2011 fiscal year is as follows:

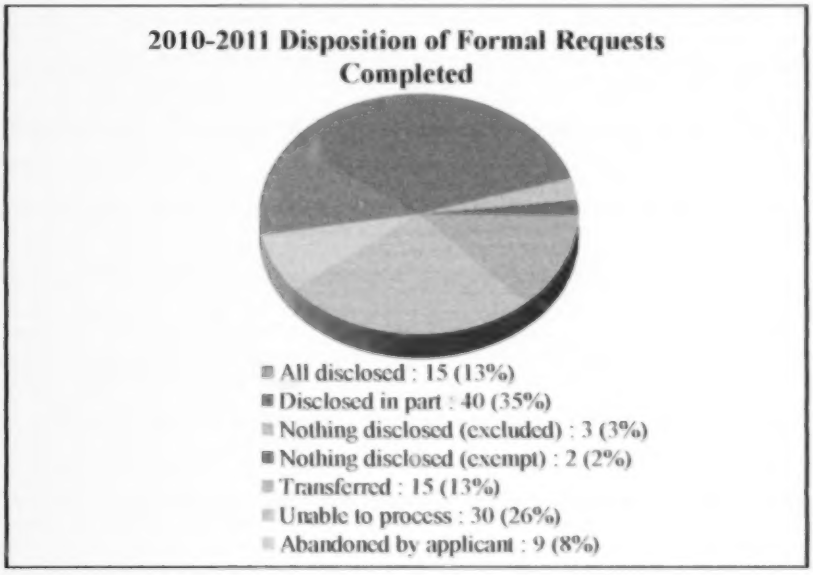



## II DISPOSITION OF REQUESTS COMPLETED

**Formal Requests**

In total, 114 formal requests requiring action were completed during the reporting period.

The disposition of the 114 requests completed in 2010-2011 is as follows:


2010-2011 Disposition of Formal Requests Completed
All disclosed : 15 (13%)
Disclosed in part : 40 (35%)
Nothing disclosed (excluded) : 3 (3%)
Nothing disclosed (exempt) : 2 (2%)
Transferred : 15 (13%)
Unable to process : 30 (26%)
Abandoned by applicant : 9 (8%)

Requests where records did not exist were recorded in the "unable to process" category. This category increased by 88% over the 2009-2010 reporting period where no records existed for 16 cases.

The following chart compares the number of pages reviewed and released for formal requests during the past three reporting periods. Pages with portions of information released, but with exemptions applied, are counted under "pages released". Pages not released refer to pages that have an exemption applied to the entire page.

| Period | 2008-2009 | 2009-2010 | 2010-2011 | Variance 2010-2011 over 2009-2010 |
|---|---|---|---|---|
| **Pages Reviewed** | 7,497 | 7,710 | 8,360 | 8% |
| **Pages Released** | 6,075 | 5,545 | 4,635 | -16% |
| **Pages not Released** | 1,422 | 2,165 | 3,725 | 72% |

114 formal requests were completed over the fiscal year, as compared to 121 requests completed in the 2009-2010 fiscal year. This is a 16 per cent decrease in the number of requests completed, or, as demonstrated in the table above, an 8 per cent increase in the number of pages reviewed.

**Informal Requests**

The following chart compares pages reviewed and released for informal requests during the past three reporting periods.

| Period | 2008-2009 | 2009-2010 | 2010-2011 | Variance 2010-2011 over 2009-2010 |
|---|---|---|---|---|
| **Pages Reviewed** | 10,543 | 16,697 | 25,076 | 50% |
| **Pages Released** | 5,037 | 10,517 | 13,036 | 24% |
| **Pages not Released** | 5,506 | 6,180 | 12,040 | 95% |

123 informal requests were completed over the fiscal year, as compared to 101 requests completed in the 2009-2010 fiscal year. This is a 22 per cent increase in the number of informal requests completed.

The number of pages reviewed shows a 50 per cent increase from last reporting period, or a 22 per cent increase in requests, indicating that the size of documentation reviewed per request is increasing.

The rise in the percentage of unreleased pages in both the Formal and Informal requests underlines the increasing complexity of access to information requests.

There is no legislated time frame set for informal requests within the *Access to Information Act;* however, 83 informal requests of 123 were completed within 60 days.

## III EXEMPTIONS INVOKED

This section of the statistical interpretation identifies the number of requests where specific types of exemptions have been invoked to protect sensitive information in government records.

VAC invoked 111 exemptions under sections 14, 15, 16, 18, 19, 20, 21, 22, and 23. This is a 10 per cent increase over the 2009-2010 reporting year. The most frequently used exemption was subsection 19(1) which is used to exempt personal information. For statistical purposes, it is important to note that the exemptions applied to a case multiple times, are counted only once per case.

| **Exemptions Invoked 2010-2011** | **Cases** |
|---|---|
| Paragraph 14(*a*) (Federal-Provincial Consultations or Deliberations) | 3 |
| Subsection 15(1) (International Affairs and Defense) | 1 |
| Subsection 16(1) (Law enforcement and investigation) | 1 |
| Subsection 16(2) (Security) | 2 |
| Paragraph 18(*b*) (Economic Interests of Canada) | 1 |
| Subsection 19(1) (Personal Information) | 30 |
| Paragraph 20(1)(*c*) (Competitive Process – Third Party) | 1 |
| Paragraph 20(1)(*d*) (Contractual Negotiations – Third Party) | 2 |
| Paragraph 21(1)(*a*) (Operations of Government – Advice) | 21 |
| Paragraph 21(1)(*b*) (Operations of Government – Consultations or Deliberations) | 23 |
| Paragraph 21(1)(*c*) (Operations of Government – Negotiations ) | 8 |
| Paragraph 21(1)(*d*)(Operations of Government – Plans not put into operation) | 9 |
| Section 22 (Testing Procedures, Tests and Audits) | 1 |
| Section 23 (Solicitor-client privilege) | 8 |
| **Total Exemptions Invoked** | **111** |

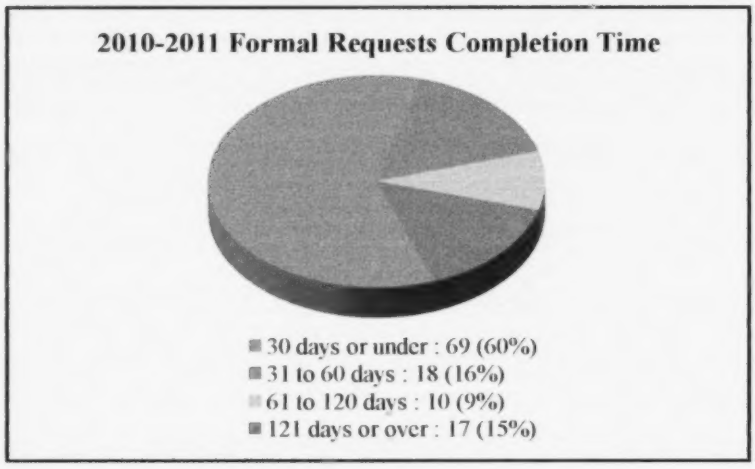
## IV EXCLUSIONS CITED

Pursuant to sections 68 and 69, the *Access to Information Act* does not apply to published material, material available for purchase by the public, material placed in the Library and Archives of Canada or confidences of the Queen's Privy Council for Canada. During this reporting period, section 68 was invoked on 2 occasions and section 69 was invoked on 29 occasions. This is a 94 per cent increase over the last reporting period.

| Exclusions Cited 2010-2011 | Occasions |
|---|---|
| 68(a) – Published material or material available for purchase by the public | 2 |
| 69(1)(a) – Proposals or recommendations to Council | 5 |
| 69(1)(b) – Policy options to Council | 1 |
| 69(1)(e) – Briefings of Ministers | 11 |
| 69(1)(f) – Draft legislation | 1 |
| 69(1)(g) – Cabinet Confidences | 11 |
| **Total** | **31** |

## V COMPLETION TIME

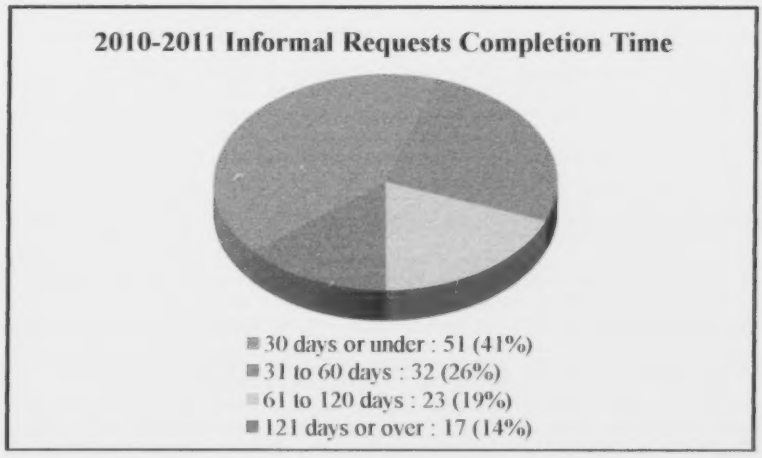
**Formal Requests**




During the 2010-2011 reporting period, VAC completed 69 formal requests in 30 days or under; and received an extension for 14 requests, for a total of 83 requests (73 per cent) successfully completed within the legislated time frame. 18 requests were completed within 31 to 60 days; 10 requests were completed within 61 to 120 days; and 17 requests requiring additional time and effort were completed in 121 days or over.

The Department is experiencing a greater number of cases requiring inter-departmental consultations. The fewer inter-departmental consultations VAC was required to conduct in the past were often restricted to consulting with only one department. The trend has shifted to multi-departmental consultations. The challenge (as outlined in the Out of Time Special Report to Parliament by the Information Commissioner of Canada in April 2010) is that VAC must depend on the efficiency and goodwill of the institutions being consulted to meet time constraints. 77 consultations were required for 20 requests, which represents 18 per cent of formal requests completed.

**Informal Requests**


2010-2011 Informal Requests Completion Time
30 days or under : 51 (41%)
31 to 60 days : 32 (26%)
61 to 120 days : 23 (19%)
121 days or over : 17 (14%)

During the 2010-2011 reporting period, VAC completed 51 informal requests in 30 days or under; 32 requests were completed within 31 to 60 days; 23 requests were completed within 61 to 120 days; and 17 requests requiring additional time and effort were completed in 121 days or over.

The Department remains committed to process informal *Access to Information* requests in a timely fashion while balancing the legislated requirements under the formal requests process. 83 informal requests of 123 were completed within 60 days.

## VI EXTENSIONS

Section 9 of the *Access to Information Act* provides for the extension of the statutory time limits if consultations are necessary or the request is for a large number of records and meeting the original time limit would unreasonably interfere with the operations of the Department.

During the reporting period a total of 31 requests were extended, and of these, 11 were extended for 30 days or under, and 20 requests required an extension of 31 days or over. Twenty-three (23) requests were extended due to consultations with other institutions, one extension was required due to third party information and seven extensions were required for an additional search.

| Extensions 2010-2011 | | |
|---|---|---|
| | **30 Days or Under** | **31 Days or Over** |
| Searching | 7 | 0 |
| Consultation | 3 | 20 |
| Third Party | 1 | 0 |
| **Total** | **11** | **20** |

During the reporting period, the number of extensions during this fiscal year increased by 35 per cent from the 2009-2010 reporting period. The majority of this increase is attributed to the 10 per cent increase of extensions for consultations.

## VII TRANSLATIONS

Two translations were required to respond to access to information requests during the 2010-2011 reporting period.

## VIII METHOD OF ACCESS

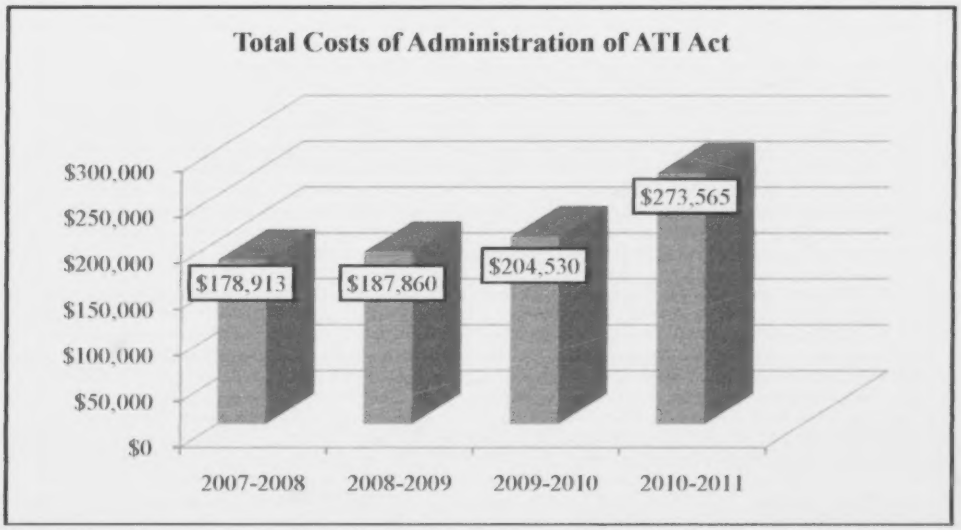
There are three methods of access whereby individuals may obtain the information they have requested. Requesters may receive copies of the material, examine the information during an arranged time or examine and receive copies of the information. Of the 114 formal requests completed, applicants received copies of the material they had requested fully or in part in 55 cases. In the remaining 59 cases, the requests were either abandoned by the applicant (9), transferred to another institution (15), could not be processed as records did not exist (30) or were not disclosed due to exemptions or exclusions (5).

## IX FEES

In accordance with section 11 of the *Access to Information Act*, the fees collected during the reporting period totaled $1,312.00. Of this amount, $610.00 was collected in compliance with the application fee required of the Act. $702.00 was collected for reproduction of the documents. There was no money collected to cover fees associated with searching for documents or preparing them for the requests or with computer processing. During the same period, Veterans Affairs waived fees totaling $40.00 for 8 requests.

## X COSTS

VAC spent a total of $273,565 administering the *Access to Information Act* during the reporting period. Staff salaries accounted for $261,573 which is equivalent to 3.85 person-year utilizations. An additional 13.71 person-years were expended in administering the *Privacy Act*. Other administrative costs (representing operations and maintenance expenditures) amounted to $11,992.




There has been a 34 per cent increase in the total costs for administration of the *Access to Information Act* over the last reporting period and a 63 per cent increase over the past four periods. The requests have been increasingly more complicated, involving more Offices of Primary Interests (OPIs), detailed documents and increased processing power.

In order to cope with this increase, the Department has allocated more resources to the ATIP Coordinator's Office. Annex 2 provides a summarized table that captures the four-year trend of Access to Information requests and other ATIP business.

## 6. CONSULTATIONS

VAC received 43 requests for consultations from other departments during the 2010-2011 period. These requests, combined with two requests carried over from the previous period, amounted to 45 consultations requiring time and attention. 44 of these requests (1,874 pages reviewed) were completed this period.

## 7. ACCESS TO INFORMATION TRAINING AND AWARENESS

### Training

During the 2010-2011 fiscal year training related to Information Management, Access to Information and Privacy was provided to over 3000 staff at all levels. Some training was aimed at addressing the requirements of the Privacy Action Plan and following through on recommendations made by the Office of the Privacy Commissioner. Other sessions continued to build on the progress made in previous years to ensure that staff and managers understand their roles and responsibilities with respect to information management, access to information and privacy.

- 2700 staff and contractors received mandatory training on the Need to Know principle to highlight requirements and to ensure staff were clear on their responsibilities and limitations on accessing client information.
- Approximately 380 staff received training on IM and privacy issues as a result of delivering "Demystifying Information Management", Managers and Supervisors Orientation training and other sessions relating to ATIP records management. These training sessions include an overview of Information Management responsibilities, documentation, Privacy, Access to Information and practical guidance on day-to-day management of information, the services available at VAC in relation to IM and ATIP and a question and answer segment. The objective of the session is to expand staff knowledge of IM and ATIP, specifically staff responsibilities, and to ensure staff members have sufficient knowledge to meet basic IM and ATIP requirements.
- Departmental Subject Records hosted a number of information tours for Canada Remembers staff as part of their Knowledge Transfer training to familiarize them with the mandate and operations of the central records repository.

**Awareness**

- The Information Management Services Directorate internal website (intranet) was updated to include new information, in an easily accessible format, relating to the resources and tools developed to support the Privacy Management Framework. A new question and answer section for IM and privacy-related questions, based on actual questions received from staff, was incorporated into the IM space and will continue to be updated with relevant topics and questions. Ten new approved policies, directives and/or guidelines were added to the site as resources to be used and understood by all staff.
- VAC recognized Data Privacy Day, January 28th, 2011, with an article in the Carillon Express, the internal electronic newsletter housed on the VAC Today intranet website.
- Following recommendations made by the Office of the Privacy Commissioner in October 2010, VAC kept all staff informed of the activities and changes underway in the Department to improve privacy and IM practices through the use of a number of articles in newsletters, for both internal and external distribution, and on the internal website. Subjects ranged from information about the Privacy Action Plan to recommendations for best practices related to privacy and IM.
- In the fall of 2010 the Director General ITIM launched a business process review project which included the development of a privacy lens tool. Information sessions were held with individuals involved in the development of processes and procedures throughout VAC, with emphasis placed on understanding the privacy principles and ensuring compliance with IM and privacy practices through effective business processes.
- VAC continues to work with TBS on updating Personal Information Banks and Classes of Records to ensure that the information holdings reported in *Info Source* are aligned with departmental programs and activities. Awareness of the importance of identifying uses and disclosures for all activities and services continued to be raised with staff. Also, a departmental business process review that began in the fall of 2010 has placed increased emphasis and awareness on the importance of reporting how information is handled.

- Information sessions on the Privacy Management Framework and the related tools and reference documents were delivered by the Director of IMSD and ATIP Coordinator, and the Director General of ITIM to management teams across the Department. Recipients included management from the regions and various sectors at head office.
- Informal awareness and information sessions were provided as requested to teams from various areas of the Department. Based on questions raised by the program areas, staff from IMSD met with groups of employees at varying levels to provide general guidance and discuss best practices around IM and privacy.
- IMSD actively promoted the existence of IM and ATIP mailboxes as places to direct questions and answers relating to IM and ATIP. Employees throughout the Department with any questions relating to IM and ATIP were encouraged to send their questions and comments to these mailboxes. Staff within IMSD triaged and responded to approximately 1000 questions that were directed through these mailboxes.
- VAC implemented an internal Wiki for use as a collaborative tool within working areas. As part of the implementation of this tool and release to identified groups, IM and privacy requirements were addressed during the training session. In addition, IM Specialists met with each group's Wiki Champions to provide advice and guidance on how best to maintain compliance with IM and privacy requirements within the context of the Wiki.

## 8. POLICIES AND GUIDELINES

In the 2010-2011 fiscal year, a new focus was placed on reviewing, revising and communicating policies and guidelines.

- As part of VAC's Transformation Agenda to address the modernization of service delivery to better meet the needs of the Veteran and address the requirement to improve efficiencies and effectiveness, VAC has initiated new working groups to support new initiatives which will enable this transformation.
- IM staff participated on numerous departmental working groups, providing an opportunity to promote an understanding of ATIP and IM issues and reinforcing the importance of compliance with IM and ATIP legislation and policies. Staff members provide advice and guidance to project teams during the development and implementation of the project/program and follow through once the project/program is in place. In 2010-2011, participation on working groups was expanded to the newly formed groups responsible for identifying and implementing changes specifically related to the Transformation Agenda.
- VAC implemented 10 new policies, directives and/or guidelines relating to information management and privacy in support of efforts to enable staff to comply with legislation and policy. Examples include the Regional Office File Content Policy, the VAC Privacy Impact Assessment Policy and Procedures, a General Privacy Policy and Guidelines, a Privacy Breach Policy, Privacy Breach Guidelines, and other policies relating to disclosures of personal information. Work on the development of policies, directives and guidelines will continue into the new fiscal year as VAC works to interpret legislation and direction from central agencies for VAC employees.
- IMSD worked closely with the Communications Division to identify effective methods of communicating and notifying staff of changes and requirements throughout the

implementation of the Privacy Action Plan and the development of tools and resources for VAC staff.

## 9. DESCRIPTIONS OF MAJOR CHANGES IMPLEMENTED

**Department**

Through 2010-2011, VAC continued refining the organizational structure to address service delivery needs and priorities. In October 2010, an Associate Deputy Minister was appointed to report to the Deputy Minister and take primary responsibility for transformation within VAC. In addition, the branches and divisions reporting to the Deputy Minister underwent organizational changes. The Departmental structure as of March 31, 2011 revolves around three branches and five divisions or areas reporting to the Deputy Minister. The three branches are: Service Delivery; Policy Communication and Commemoration; and Corporate Services. The divisions include: Audit and Evaluation; Bureau of Pensions Advocates; Departmental Secretariat and Policy Coordination; Human Resources; and Ste. Anne's Hospital.

**Information Management Services Directorate (IMSD)**

In 2010-2011, IMSD continued the work that had been initiated in previous years to gain efficiencies and improve client service under the *Access to Information Act* and the *Privacy Act*.

- Since last fiscal year, the Information Management Services Directorate (IMSD) has become further integrated into many aspects of the Information Technology components of the Information Technology and Information Management (ITIM) Division. The Director of IMSD now holds a seat and decision-making role on all major IT-led committees, such as the ITIM Executive Committee and the Architectural Guidance Board. IM input and approval is required for all new systems and applications to ensure compliance with IM and privacy legislation, policies and directives.
- Recommendations made to VAC by the Office of the Privacy Commissioner in October 2010 resulted in the development of a Privacy Action Plan and the development and delivery of tools and training to support the implementation of a department-wide Privacy Management Framework. Steps were taken to implement, by April 1, 2011, a privacy protection infrastructure that will guide all future activities of the Department in ensuring the protection and appropriate handling of personal information.
- IMSD led the development and implementation of the position of a Chief Privacy Officer, a Privacy Steering Committee and a Privacy Protection Infrastructure based on the recommendations of the Office of the Privacy Commissioner and VAC's Privacy Action Plan.
- Administration of the *Access to Information Act* and the *Privacy Act* continue to be supported by improvements in IM at VAC. Following the establishment and implementation of a new Records Disposition Authority in 2009, VAC continues to work through the exploration of tools to assist in effective record-keeping. A new functional classification system is in development to closely align records with the current programs and activities within the Department. VAC has engaged contractors to identify a strategic path for implementation of an electronic document and records management system. This work enhances the Department's ability to respond to ATIP requests.

- In support of the Treasury Board of Canada Secretariat (TBS) Policy on Information Management and Policy on Privacy Practices, VAC's Finance Division and IMSD continue the practice of contract review to ensure that IM and ATIP requirements are included in contractual terms and conditions for contractors and third parties providing services to, or on behalf of, VAC. IM Specialists review Statements of Work for professional service contracts and provide content, advice and guidance to managers regarding IM and ATIP issues. In the fiscal year 2010-2011, 141 contracts were reviewed.
- In 2010-2011, VAC Privacy Specialists reviewed approximately 425 departmental forms to ensure sufficient notice statements are created and all legislative and policy requirements are met.
- VAC continues to work on updating all information holdings to accurately reflect the activities and programs of the department. VAC was not subject to an IM MAF Assessment in 2010-2011 but continued to work in consultation with the Treasury Board Secretariat to identify and address requirements for the *Info Source* Chapter.
- Activities under the Privacy Action Plan that were completed include a detailed system access review for systems containing client information, the implementation of a privacy lens for briefings to ensure the protection of personal information, enhanced monitoring of system access for systems containing personal information, and mandatory and in-depth training on privacy policies and procedures. In addition, activities and processes involving database information from VAC client information systems have been reviewed to ensure appropriate privacy practices are in place with respect to all aspects of reporting.
- Other projects initiated include a review of all departmental business processes with a privacy lens to ensure that the actions and activities of the Department are compliant with all privacy legislation and policy.

## 10. COMPLAINTS AND INVESTIGATIONS

In 2010-2011, the Information Commissioner received five (5) complaints against VAC and four (4) complaints were carried over from the 2009-2010 for a total of nine (9) complaints requiring attention. Six (6) complaints received a ruling and three (3) have been carried over to the 2011-2012.

Of the complaints that received a ruling, all six (6) were well founded and resolved.

The substance of the complaints was as follows:

- One complainant alleged refusal of access to records which were exempted under the subsection 19(1) – "well founded" and "resolved".
- Two complainants alleged that the Department was late in responding to the request – both were "well founded" and "resolved".
- Three complainants alleged refusal of access to records which were exempted under sections 19 and 21 – all were "well founded" and "resolved".

## 11. APPEALS TO THE COURTS

VAC has no appeals to the courts to report for the reporting period, April 1, 2010, to March 31, 2011.

## Annexes

## Annex 1 – Statistical Report on the *Access to Information* Act

Government of Canada / Gouvernement du Canada

**REPORT ON THE *ACCESS TO INFORMATION ACT***
**RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION**

| Institution | | | | Reporting period/Période visée par le rapport |
|---|---|---|---|---|
| Veterans Affairs Canada / Anciens Combattants Canada | | | | 2010-04-01 to/à 2011-03-31 |
| Source | Media/Médias | Academia/Secteur universitaire | Business/Secteur commercial | Organization/Organisme | Public |
| | 24 | 3 | 18 | 16 | 87 |

**I Request under the *Access to Information Act*/ Demande en vertu de la *Loi sur l'accès à l'information***

| | |
|---|---|
| Received during reporting period/ Reçues pendant la période visée par le rapport | 148 |
| Outstanding from previous period/ En suspens depuis la période antérieure | 35 |
| TOTAL | 183 |
| Completed during reporting period/ Traitées pendant la période visées par le rapport | 114 |
| Carried forward/ Reportées | 69 |

**II Disposition of request completed/ Disposition à l'égard des demandes traitées**

| | | | | | |
|---|---|---|---|---|---|
| 1. | All disclosed/ Communication totale | 15 | 6. | Unable to process/ Traitement impossible | 30 |
| 2. | Disclosed in part/ Communication partielle | 40 | 7. | Abandoned by applicant/ Abandon de la demande | 9 |
| 3. | Nothing disclosed (excluded)/ Aucune communication (exclusion) | 3 | 8. | Treated informally/ Traitement non officiel | 0 |
| 4. | Nothing disclosed (exempt)/ Aucune communication (exemption) | 2 | | TOTAL | 114 |
| 5. | Transferred/ Transmission | 15 | | | |

**III Exemptions invoked/ Exceptions invoquées**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| S. Art. 13 (1) (a) | 0 | S. Art. 16 (1) (a) | 1 | S. Art. 18 (b) | 1 | S. Art. 21 (1) (a) | 21 |
| (b) | 0 | (b) | 0 | (c) | 0 | (b) | 23 |
| (c) | 0 | (c) | 0 | (d) | 0 | (c) | 8 |
| (d) | 0 | (d) | 0 | S. Art 19 (1) | 30 | (d) | 9 |
| S. Art. 14 | 3 | S. Art. 16 (2) | 2 | S. Art. 20 (1) (a) | 0 | S. Art. 22 | 1 |
| S. Art. 15 (1) International rel/ Relations intern | 0 | S. Art. 16 (3) | 0 | (b) | 0 | S. Art. 23 | 8 |
| Defence/ Defense | 1 | S. Art. 17 | 0 | (c) | 1 | S. Art. 24 | 0 |
| Subversive activities/ Activités subversives | 0 | S. Art. 18 (a) | 0 | (d) | 2 | S. Art. 26 | 0 |

**IV Exclusions cited/ Exclusions citées**

| | | | |
|---|---|---|---|
| S. Art. 68 (a) | 2 | S. Art. 69 (1) (c) | 0 |
| (b) | 0 | (d) | 0 |
| (c) | 0 | (e) | 11 |
| S. Art. 69 (1) (a) | 5 | (f) | 1 |
| (b) | 1 | (g) | 11 |

**V Completion time/ Délai de traitement**

| | |
|---|---|
| 30 days or under/ 30 jours ou moins | 69 |
| 31 to 60 days/ De 31 à 60 jours | 18 |
| 61 to 120 days/ De 61 à 120 jours | 10 |
| 121 days or over/ 121 jours ou plus | 17 |

**VI Extentions/ Prorogations des délais**

| | 30 days or under/ 30 jours ou moins | 31 days or over/ 31 jours ou plus |
|---|---|---|
| Searching/ Recherche | 7 | 0 |
| Consultation | 3 | 20 |
| Third party/ Tiers | 1 | 0 |
| TOTAL | 11 | 20 |

**VII Translations/ Traductions**

| | | |
|---|---|---|
| Translations requested/ Traductions demandées | | 2 |
| Translations prepared/ Traductions préparées | English to French/ De l'anglais au français | 0 |
| | French to English/ Du français à l'anglais | 2 |

**VIII Method of access/ Méthode de consultation**

| | |
|---|---|
| Copies given/ Copies de l'original | 55 |
| Examination/ Examen de l'original | 0 |
| Copies and examination/ Copies et examen | 0 |

**IX Fees/ Frais**

| Net fees collected/ Frais net perçus | | | |
|---|---|---|---|
| Application fees/ Frais de la demande | $ 610.00 | Preparation/ Préparation | 0 |
| Reproduction | $ 702.00 | Computer processing/ Traitement informatique | 0 |
| Searching/ Recherche | $ | TOTAL | $ 1312.00 |
| Fees waived/ Dispense de frais | | No. of times/ N° de fois | $ |
| $25.00 or under/ 25 $ ou moins | | 8 | $ 40.00 |
| Over $25.00/ De plus de 25 $ | | 0 | $ 0.00 |

**IX Costs / Coûts**

| Financial (all reasons)/ Financiers (raisons) | |
|---|---|
| Salary/ Traitement | $ 261,573.00 |
| Administration (O and M)/ Administration (fonctionnement et maintien) | $ 11,992.00 |
| TOTAL | $ 273,565.00 |
| Person year utilization (all reasons)/ Années-personnes utilisées (raison) | |
| Person year (decimal format)/ Années-personnes (N° decimal) | 3.85 |

TBS/SCT 350-62 (Rev. 1999/03)

Canada

**Annex 2 – Four-Year Statistical Analysis**

| | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | Variance 2010-2011 over 2009-2010 |
|---|---|---|---|---|---|
| **Requests** | 84 | 95 | 138 | 148 | 7% |
| **Requests carried forward from prior year** | 5 | 12 | 18 | 35 | 94% |
| **Total requests** | 89 | 107 | 156 | 183 | 17% |
| **Requests completed** | 78 | 89 | 121 | 114 | -6% |
| **Requests from media** | 9 | 13 | 26 | 24 | -8% |
| **Requests from business** | 5 | 5 | 8 | 18 | 125% |
| **Requests from the public** | 70 | 59 | 88 | 87 | -1% |
| **Requests carried forward to next year** | 12 | 18 | 35 | 69 | 97% |
| **Exemptions** | 40 | 52 | 101 | 111 | 10% |
| **Exclusions** | 6 | 6 | 16 | 31 | 94% |
| **Completed in 30 days or under** | 60 | 73 | 88 | 69 | -22% |
| **Completed in 31 days or over** | 18 | 16 | 33 | 45 | 36% |
| **Extensions** | 14 | 11 | 23 | 31 | 35% |
| **Total fees collected** | $455 | $778 | $748 | $1312 | 75% |
| **Application fees** | $365 | $445 | $595 | $610 | 3% |
| **Searching fees** | $90 | $165 | $0 | $0 | 0% |
| **Reproduction of document fees** | $0 | $168 | $153 | $702 | 358% |
| **Fees waived** | $20.00 | $75 | $50 | $40 | -20% |
| **Total costs for the administration of the ATI Act** | $178,873 | $187,860 | $204,530 | $273,565 | 34% |
| **Salaries** | $173,913 | $178,320 | $196,960 | $261,573 | 33% |
| **FTEs** | 3.02 | 3.26 | 3.03 | 3.85 | 27% |
| **Administration costs (Operations and Maintenance)** | $4,960 | $9,541 | $7,570 | $11,992 | 58% |
| **Informal requests** | 125 | 90 | 124 | 115 | -7% |
| **Consultations** | 25 | 20 | 56 | 43 | -23% |
| **Complaints received** | 1 | 6 | 4 | 5 | 25% |
| **Complaints ruled on** | 1 | 3 | 9 | 6 | -33% |

This publication can be made available upon request. For further information or to obtain additional copies please contact:

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